

MEETINGS TO DATE 27  
NO. OF REGULARS 22  
NO. OF SPECIALS 5

LANCASTER, NEW YORK  
DECEMBER 1, 1986

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 1st day of December 1986, at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR  
RONALD A. CZAPLA, COUNCILMAN  
ROBERT H. GIZA, COUNCILMAN  
DONALD E. KWAK, COUNCILMAN  
JOHN T. MILLER, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
RICHARD J. SHERWOOD, TOWN ATTORNEY  
NICHOLAS LO CICERO, DEP. TOWN ATTORNEY  
ROBERT LABENSKI, TOWN ENGINEER  
THOMAS E. FOWLER, CHIEF OF POLICEOR  
ROBERT L. LANEY, BUILDING INSPECTOR

BID OPENING SCHEDULED FOR 8:00 P.M.:

At 8:05 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster Police Department four (4) new 1987 Police Cars.

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed at 8:05 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

<u>BIDDER</u>	<u>BID</u>
Mid City Dodge, Inc. 2185 Walden Avenue Buffalo, New York	\$43,439.00

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the aforesaid proposals were ordered turned over to the Chief of Police for examination, tabulation and recommendation.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board continued a Public Hearing to receive further input on the proposed Firearms Possession on Private Property Ordinance.

COMMENTS AND STATEMENTS

Harold Schroeder  
24 Irwinwood Rd.

Lt. Bob Kaufman  
N.Y.S. Dept. of Env. Conservation

OPPOSED

Robert Durfee  
720 Aurora St.  
Lancaster, N.Y.

Kevin Horn  
62 Stutzman Rd.  
Lancaster, N.Y.

John Rohe  
18 Division St.  
Lancaster, N.Y.

Pat Lewandowski  
5565 Broadway  
Lancaster, N.Y.

Charles Rechlin  
742 Surgeon Pt. Rd.  
Derby, N.Y.

Lothar Kretschmer  
240 Marrano Dr.  
Depew, N.Y.

Tom Kraft  
241 Travers Cir.  
Amherst, N.Y.

Mike Tomaszewski  
194 Central Ave.  
Lancaster, N.Y.

Edward Kwandrans  
89 Simme Rd.  
Lancaster, N.Y.

IN FAVOR

Joe Washenko  
551 Lake Ave.  
Lancaster, N.Y.

Gloria Kubicki  
15 Maple Dr.  
Lancaster, N.Y.

Ed Lawniczak  
46 Impala Pkwy  
Lancaster, N.Y.

Jim Guenther  
562 Pavement Rd.  
Lancaster, N.Y.

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN CZAPLA  
AND CARRIED, by unanimous voice vote, the Public Hearing was closed at  
10:00 P.M.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

RESOLVED, that the minutes from the Joint Meeting of the Planning Board and the Town Board, held on November 5, 1986, and the Regular Meeting of the Town Board, held on November 17, 1986, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

File: R-MIN

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, Lancaster Sanitary Landfill, Inc. has posted security for  
a landfill permit from the Town of Lancaster, said security being in the  
form of shares of stock, and

WHEREAS, the landfill has been closed by Consent Order issued by  
New York State Department of Environmental Conservation on December 21, 1984,  
and

WHEREAS, no waste has been accepted at this site since October 1,  
1985, and said landfill has been properly covered and closed, and

WHEREAS, the property owner, Gunville Energy Systems, Inc. (formerly  
Lancaster Sanitary Landfill, Inc.) has requested the return of those shares  
representing the security for the landfill permits Nos. 1 and 2;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby  
authorizes the Town Clerk, Robert P. Thill, to release 425 shares of IBM  
Stock which have been held as security on the aforementioned landfill permits.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster has requested  
the Town Board to advertise for bids to furnish unleaded gasoline to the  
Town of Lancaster for the year 1987, and

WHEREAS, the Police Committee of the Town Board has approved such  
request,

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders, in form attached hereto and made  
a part hereof, be published in the Lancaster Bee and be posted according to  
Law, that the Town will receive bids up to 8:10 o'clock P.M., Local Time,  
on December 15, 1986, for furnishing unleaded gasoline to the Town of Lancaster  
for the year 1987, in accordance with specifications on file in the office of  
the Town Clerk.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed bids and/or proposals will be received by the Town Board of the Town of Lancaster, Erie County, New York at the Central Avenue Community Center, Room 139, at 149 Central Avenue Lancaster, New York, up to 8:10 o'clock P.M., Local Time, on the 15th day of December, 1986, for furnishing unleaded gasoline to the Town of Lancaster for the year 1987, in accordance with specifications on file in the Town Clerk's Office, 149 Central Avenue, Lancaster, New York 14086.

A Non-collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
TOWN CLERK

December 1, 1986

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, by resolution dated August 11, 1986, granted to Busy Beaver Building Centers, Inc. the rezone of certain property on the corner of Transit Road and Wehrle Drive, within the Town of Lancaster, subject to certain conditions enumerated in said resolution and further subject to a site plan as filed with the Town Clerk, and

WHEREAS, Busy Beaver Building Centers, Inc. have requested certain changes in the site plan as filed with the Town Clerk, and

WHEREAS, the Town Engineer, by letter dated November 17, 1986, has transmitted to the Town board a revised site plan for the Busy Beaver Building Centers, Inc. and recommended the changes contained therein,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves and accepts the revised site plan, dated September 15, 1986, as filed with the Town Clerk by Krehbiel associates, Inc., by letter dated November 17, 1986, said plan deviating from the original site plan as filed with the Town Clerk as follows:

- a) the revised plan shows the retention area at the south side of the site as opposed to the center.
- b) the revised plan places the retention area adjacent to the existing drainage ditch which is a more suitable location.
- c) a spillway has been added to the plan.
- d) the driveway on Wehrle Drive has been widened from 25 feet to 30 feet as requested by the Police Department,

and,

BE IT FUTHER

RESOLVED, that the Town Attorney be and is hereby authorized and directed to obtain from the Busy Beaver Building Centers, Inc. any necessary drainage and retention area easements.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

File: R-REZONE



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Erie County Attorney, by letter dated November 19, 1986,  
has submitted a contract between the County of Erie and the Town of Lancaster  
covering the removal of snow and ice on certain roads located within the  
boundaries of the Town of Lancaster, for the period of September 1, 1986  
through August 31, 1989,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Supervisor of the Town of Lancaster be and is hereby  
authorized and directed to execute a contract between the Town of Lancaster  
and the County of Erie for the removal of snow and ice on certain roads  
located within the boundaries of the Town of Lancaster, for the period of  
September 1, 1986 through August 31, 1989, and

2. That the Town Clerk of the Town of Lancaster be and is hereby  
authorized and directed to provide the County of Erie with a certified copy of  
this resolution and the necessary certificates of insurance required under this  
contract.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, John R. Wicks, Jr. has applied for a Dumping Permit for property situate at 405 Stony Road, within the Town of Lancaster, pursuant to Chapter 22 of the Code of the Town of Lancaster, and

WHEREAS, the matter was referred by the Town Board to the Planning Board for review and recommendation, and

WHEREAS, the Planning Board has completed their review and made a formal recommendation to the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that a Dumping Permit be issued by the Town Clerk of the Town of Lancaster to the applicant, John R. Wicks, Jr., with the following conditions being made a part of the Dumping Permit, and the permit being issued on such conditions and upon the applicant signing an affirmation that he understands the conditions as set forth in this resolution and in the permit, and that he will adhere to such conditions as follows:

1. That the permit is to cover dumping already done and graded; all other dumping should cease.
2. That the owner should be required to not fill the swale and to direct all roof drains and as much surface drainage as possible to Stony Road.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to review and evaluate a consolidation of water districts and sewer districts in the Town of Lancaster, and

WHEREAS, Fox & Co. has submitted a proposal to prepare a written evaluation of such a consolidation, together with preparing new assessment formulas, and said proposal does not exceed the statutory requirements for public bid,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes Supervisor Keysa of the Town of Lancaster to execute an acceptance of the proposal by Fox & Co. to prepare the aforementioned evaluation and assessment formulas.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

RESOLVED, that the following budget amendments and transfers be  
and hereby are authorized to the 1986 Special Districts and General Fund  
Budgets:

<u>BUDGET AMENDMENTS</u>	<u>ACCT. NO.</u>	<u>INCREASE</u>
<u>SPECIAL DISTRICTS - WATER</u>		
Appropriated Fund Balance (Master Water Imp. Area)	SW599	8,910.00
Budget Appropriations (Master Water Imp. Area)	SW960	8,910.00
Refund of Prior Year's Taxes (Master Water Imp. Area)	SW1970.411	4,260.00
Misc. Water District Expenses - Repairs & Maintenance (Master Water Imp. Area)	SW8389.426	4,650.00
<u>SPECIAL DISTRICTS - LIGHT</u>		
Appropriated Fund Balance	SL599	180.00
Budget Appropriations	SL960	180.00
Street Lighting - Repairs & Maintenance	SL5182.426	105.00
Refund of Prior Year's Taxes	SL1970.411	75.00
<u>SPECIAL DISTRICTS - FIRE</u>		
Appropriated Fund Balance	SF599	5,109.00
Budget Appropriations	SF960	5,109.00
Fire Protection - Fire Contracts	SF3410.480	4,964.00
Refund of Prior Year's Taxes	SF1970.411	145.00

and,

WHEREAS, John F. Pasquariello, Recreation Director of the Town of  
Lancaster, in a letter dated October 27, 1986 has requested a transfer of funds  
in the 1986 Townwide General Fund Budget,

NOW, THEREFORE, BE IT

RESOLVED, that the following budget transfers be and are hereby  
authorized to the 1986 Townwide General Fund Budget:

<u>BUDGET TRANSFER - GENERAL FUND</u>	<u>ACCT. NO.</u>	<u>DECREASE</u>	<u>INCREASE</u>
Playgrounds & Recreation - Personal Services	A7140.1	1,600.00	
Playgrounds & Recreation - Contractual Expenses	A7140.4		1,600.00
Playgrounds & Recreation - Personal Services	A7140.1	1,300.00	
Parks - Personal Services	A7110.1		1,300.00
Pool - Recreation Equipment	A7180.429	29.00	
Pool - Office Furniture & Equipment	A7180.210		29.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, the Town Board, by resolution dated August 11, 1986,  
granted a provisional rezone to HAROLD J. ZOERB for the rezone of certain  
property located on the south side of Wehrle Drive and the west side of Harris  
Hill Road in the Town of Lancaster, from an R1-Single Family Residence  
District to a C1-Local Retail Business District, said property being  
approximately 29.3 $\pm$  acres, and

WHEREAS, said resolution contained thirty-one (31) conditions which  
were required of the developer, and

WHEREAS, it has been determined by the Town Board of the Town of  
Lancaster to amend certain of the conditions in the best interests of the  
adjacent neighborhoods and in the best interests of the general welfare of the  
community as a whole,

NOW, THEREFORE, BE IT

RESOLVED, that the above mentioned resolution, dated August 11, 1986,  
is hereby amended as follows:

1. No. 18 of the original conditions shall be modified from a  
maximum land coverage of 35% to no more than 40%, and said coverage shall be  
defined as including buildings, driveways and parking areas.
2. The developer will not alter the present drainage along Wehrle  
Drive or Harris Hill Road and the area will drain southwesterly from the  
intersection of Wehrle Drive and Harris Hill Road;
3. That the planned retention pond will have a six-foot depth for  
at least 50% of the area of said pond;
4. That there will be no plain cinder block walls exposed and that  
brick or other suitable veneer will be applied to the cinder blocks;
5. That the condition No. 27 of the prior resolution will be  
changed from the required fencing to fencing or screened planting.

6. That Condition No. 5 of the prior resolution will be modified as follows: "That the proposed condominiums would have a minimum square footage of no less than 700 sq. ft. for one-bedroom condominium and no less than 1,000 sq. ft. for the two-bedroom condominiums."

7. That the sale price for the one-bedroom condominiums will be no less than \$65,900.00, and the sale price for two-bedroom condominiums will be no less than \$79,900.00, and

8. That because of the present modification of the original resolution, the time period for the provisions rezoned pursuant to §50-126 of the Lancaster Town Code will commence to run from the date of this present resolution, as opposed to the August 11, 1986 resolution.

9. All original (31) conditions not specifically modified by this resolution shall remain in effect.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster is concerned over the number of accidents occurring on Genesee Street near the intersection with Ransom Road in the Town of Lancaster, and

WHEREAS, after a review of this situation, with comment from the Chief of Police, the Town Board of the Town of Lancaster believes that a speed evaluation on Genesee Street from Shisler Road east to Town Line Road by the State Department of Transportation might prove beneficial in assessing whether a speed reduction would result in a reduction of the number of automobile accidents in this area, and

WHEREAS, the Town Board of the Town of Lancaster deems it to be in the interest of the County of Erie to address this situation, since Ransom Road is a County Road;

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster hereby requests that the County of Erie join the Town of Lancaster in a joint petition to the New York State Department of Transportation for a speed evaluation on Genesee Street, between Shisler Road and Town Line Road which encompasses the intersection of Genesee Street and Ransom Road, and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster is hereby directed to forward a certified copy of this resolution to County Executive Rutkowski; the Clerk of the Legislature; and County Legislator Ralph Mohr.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

Claim No. 4485 to Claim No. 4646 Inclusive.

Total amount hereby authorized to be paid:

\$ 176,672.82

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

File: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and  
are hereby approved and the Issuance of Building Permits be and are hereby  
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
335	Advislon, Inc.	4817 Transit Rd.	ER. SIGN
336	Boyd Gen. Const.	620 Columbia Ave.	EXT. SIN. DWLG
337	Marrano/Marc Eulity	58 Pheasant Run La.	ER. SIN. DWLG
338	Paul Percy	27 Foxhunt Rd.	INSTALL FIREPLACE
339	Busy Beaver	Transit Road	ER. SIGN
340	Joseph Oleksy	3586 Bowen Rd.	ER. SIN. DWLG. & GAR.
341	Roy Coleman	4857 William St.	ER. GARAGE
342	John Herdzik	4745 William St.	EXT. SIN. DWLG
343	Wymer Builders	1276 Penora St.	ER. SIN. DWLG
344	Frey Const.	561 Pavement Rd.	INSTALL 2 TANKS
345	Jack Kaczmariski	97 Schlemmer Rd.	ER. SIN. DWLG, GARAGE

BE IT FURTHER

RESOLVED, that Building Permit Application Nos. 340 and 345 be and  
are hereby approved with a waiver of the Town Ordinance requirement for  
sidewalks, and

BE IT FURTHER

RESOLVED, that the following Building Permit Applications  
previously denied by the Town Board upon the recommendation of the Building  
Inspector, be and are hereby approved upon the recommendation of the Building  
Inspector dated November 25, 1986, and the Issuance of the following Building  
Permits be and are hereby authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
299	Pat Eddy Const.	1278 Penora St.	ER. SIN. DWLG
300	Pat Eddy Const.	1270 Penora St.	ER. SIN. DWLG

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

File: R-BLDG

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:-

SUSPENSION GRANTED:

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Town Board has been apprised that a potentially dangerous situation exists along Penora Street from Como Park Boulevard south to William Street, relative to the depth of drains on either side of the road, and

WHEREAS, to insure the protection of the public health, safety and welfare of the residents in this area of Penora Street, as well as motor vehicle traffic on Penora Street, and

WHEREAS, there are a sufficient number of homeowners in this area in low/moderate income, therefore qualifying the area for the use of Community Development Block Grant Funds, and

WHEREAS, the Town Board has a responsibility to expend the aforesaid funds on community projects which will protect the public health, safety and welfare in eligible areas;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the sum of \$9,000.00 to be drawn from Community Development Block Grant Years 1983-1984 and 1984-1985, which were set aside for sewer tap-ins, to be utilized for the purpose of purchasing roadside drainage pipe for installation by the Erie County Highway Department along Penora Street, between Como Park Boulevard and William Street, and

BE IT FURTHER

RESOLVED, that the Town Board authorizes an additional \$1,000.00 to be drawn from the aforementioned Community Development Block Grant Funds for purposes of sidewalk renewal on Penora Street after the County of Erie has installed storm water culverts, and

BE IT FURTHER

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to contract with the County of Erie for the purchase of the aforementioned pipe in order to utilize the bid prices in place with the County.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:-

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the furnishing to the highway department of the Town of Lancaster, New York, one (1) new and unused 1987 All Wheel Drive Chassis with a 10 ft. dump body and wing/plow equipment, including hydraulics, in accordance with specifications on file in the Office of the Town Clerk, and

WHEREAS, such bids were duly opened on November 17, 1986, and

WHEREAS, said bids were referred to the Highway Superintendent for review and evaluation, and

WHEREAS, the Highway Superintendent of the Town of Lancaster has recommended that the second lowest bidder, NUTTALL EQUIPMENT, INC., 525 Bullis Road, West Seneca, New York 14224 be awarded the bid for the furnishing of one new and unused 1987 All Wheel Drive Chassis with a 10ft. dump body and and wing/plow equipment, including hydraulics, for the sum of \$96,464.00 as the lowest responsible bid submitted conforming with the specifications, since the low bidder, Lake Erie International, did not meet the specifications, which are on file with the Town Clerk of the Town of Lancaster, and the variance from said specifications being substantial in nature;

NOW, THEREFORE, BE IT

RESOLVED, that the bid of NUTTALL EQUIPMENT, INC., 525 Bullis Road, West Seneca, New York 14224, in the amount of \$96,464.00 for one (1) new and unused 1987 All Wheel Drive Chassis with a 10-ft. dump body and wing/plow equipment, including hydraulics, be and hereby is accepted and order for same is hereby authorized to be placed and that delivery be made not later than One hundred (100) days from date of order , with terms of payment to be as follows:

1. Check from proceeds of Bond Anticipation Note - \$96,464.00

A contract for purchase of the item shall be duly executed between the Town Superintendent of Highways and such vendor, and shall thereafter become effective. When such contract has been duly executed and approved, the Supervisor is authorized to complete such purchase in accordance with the bond resolution and such contract.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:-

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the furnishing to the Highway Department of the Town of Lancaster, New York, one (1) New and Unused 1986 Rubber Tired 4-Wheel Drive Three Cubic Yard Capacity Loader in accordance with the specifications on file with the Town Clerk, and

WHEREAS, said bids were duly opened on November 17, 1986, and

WHEREAS, said bids were referred to the Highway Superintendent for review and evaluation, and

WHEREAS, the Highway Superintendent of the Town of Lancaster has recommended that the second lowest bidder, TROJAN SALES AND SERVICE DIVISION OF TROJAN INDUSTRIES, 1 Trojan Circle, Batavia, New York 14020, be awarded the bid for the furnishing of One (1) New 1986 Rubber Tired 4-Wheel Drive Three Cubic Yard Capacity Loader, on the submitted "Net Bid With Trade" in the amount of \$67,853.00, as the lowest responsible bid conforming tiwh the specifications. since the low bidder, Nuttall Equipment, Inc., did not meet the specifications, which are on file with the Town Clerk of the Town of Lancaster, and the variance from said specifications being substantial in nature;

NOW, THEREFORE, BE IT

RESOLVED, that thebid of TROJAN SALES AND SERVICE DIVISION OF TROJAN INDUSTRIES, INC., 1 Trojan Circle, Batavia, New York 14020, as the "Net Bid With Trade," in the amount of \$67,853.00 for one (1) new and unused 1986 Rubber Tired 4-Wheel Drive, Three Cubic Yard Capacity Loader be and hereby is accepted and order for same is hereby authorized to be placed and that delivery be made not later than December 31, 1986 , with terms of payment to be as follows:



1. Check from proceeds of Bond Anticipation Note - \$67,853.00

A contract for purchase of the item shall be duly executed between the Town Superintendent of Highways and such vendor, and shall thereafter become effective. When such contract has been duly executed and approved, the Supervisor is authorized to complete such purchase in accordance with the bond resolution and such contract.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

Councilman Czapla requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the furnishing to the Police Department of the Town of Lancaster, New York, four (4) new 1987 Police Cars in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened on December 1, 1986, and

WHEREAS, Mid-City Dodge, Inc. 2185 Walden Avenue, Cheektowaga, New York, 14225, has submitted a "Net Bid with Trade" for the furnishing of four (4) new 1987 Police Cars for the sum of \$43,439.00, and

WHEREAS, the Chief of Police of the Town of Lancaster has recommended the purchase of the above mentioned automobiles, and further that said bid is the lowest responsible "Net Bid with Trade" submitted conforming with the specifications therefor,

NOW, THEREFORE, BE IT

RESOLVED, that the low "Net Bid with Trade" of Mid-City Dodge, Inc., 2185 Walden Avenue, Cheektowaga, New York, 14225 in the net amount of \$43,439.00 for four (4) new 1987 Police Cars be and the same is hereby accepted and that an order for such automobiles is hereby authorized to be placed by the Chief of Police and that delivery be made not later than thirty (30) days after date of order, and

BE IT FURTHER

RESOLVED, that the Town Board reserves the right to retain one or more of the "Trade In" equipment items specified in the specifications for use by various departments of the Town of Lancaster, the purchase price "Net Bid With Trade" to be adjusted accordingly,

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 1, 1986

File: R-POLICE-B0 (Pages 3&4)

STATUS REPORT ON UNFINISHED BUSINESS:

1. Dumping Permit - Eric Hengerer  
On October 6, 1986, this application was referred to the Planning Board, Planning Consultant, Building Inspector and Town Engineer for review and report to the Town Board.
2. Dumping Permit - John Wicks  
On October 6, 1986, this application was referred to the Planning Board, Planning Consultant, Building Inspector and Town Engineer for review and report to the Town Board. On November 16, 1986, the Planning Board recommended approval, with stipulations, of this permit. On December 1, 1986, the Town Board approved this permit. The Town Clerk was directed to remove this item from future Town Board agendas.
3. Dumping Permit - Keith A. Wilkinson  
On September 11, 1986, this application was referred to the Planning Board, Planning Consultant, Building Inspector and Town Engineer for review and report to the Town Board.
4. Public Improvement Permit Authorization - Country View East Subdivision, Phase I (Marrano/Marc Equity).  
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1987.
5. Public Improvement Permit Authorization - Country View East Subdivision, Phase II (Marrano/Marc Equity).  
This item remains under unfinished business until a retention basin is constructed on the Lancaster Sr. High School property.
6. Public Improvement Permit Authorization - Country View East Subdivision, Phase III (Marrano/Marc Equity).  
This item remains under unfinished business until a retention basin is constructed on the Lancaster Sr. High School property.
7. Public Improvement Permit Authorization - Heritage Hills Subdivision  
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
8. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center  
The Town Board authorized issuance of P.I.P. No. 79 (water main) and No. 80, (retention basin) on June 6, 1983.
9. Rezoning Petition - Richard L. Church  
On July 21, 1986, this petition was referred to the Planning Board for review and recommendation. On September 15, 1986, the Town Board set a public hearing on this matter for October 6, 1986. On October 6, 1986, the Town Board held a public hearing on this matter and reserved decision.
10. Rezoning Petition - Josela Enterprises, Inc.  
On June 2, 1986, this petition was referred to the Planning Board for review and recommendation.
11. Rezoning Petition - Dennis Richards  
On July 7, 1986, this petition was referred to the Planning Board for review and recommendation. On September 15, 1986, the Town Board set a public hearing on this matter for October 6, 1986. On October 6, 1986, the Town Board held a public hearing on this matter and reserved decision.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D:12. Rezone Petition - George Stephen

On August 11, 1986, this petition was referred to the Planning Board for review and recommendation. On September 15, 1986, the Town Board set a public hearing on this matter for October 6, 1986. On October 6, 1986, the Town Board held a public hearing on this matter and reserved decision.

13. Subdivision Approval - Meadowland (Bosse)

On November 6, 1986, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report.

14. Subdivision Approval - "The Meadows" Subdivision (Giallanza)

On July 7, 1986, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report. On September 3, 1986, the Planning Board recommended to the Town Board approval of this proposed subdivision. On September 26, 1986, the Planning Board rescinded their recommendation for approval of the preliminary plot previously adopted on September 3, 1986.

15. Traffic Study - Intersection, Genesee Street and Ransom Road

On December 1, 1986, the Town Board will petition the NYSDOT for a lower speed limit in this area.

16. Traffic Study - Speed Reduction, Pavement Road, Broadway North to Walden Avenue

On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.

17. Traffic Study - Speed Reduction, Ransom Road, Broadway North to Genesee Street

On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.

18. Zoning Ordinance and Map Update

On June 15, 1983, Consultant Richard Brox conveyed a draft to the Town Board and Planning Board. Numerous joint sessions have been held to resolve areas of concern. SEQOR review, on the ordinance only, was held on July 18, 1984. The proposed map has not been subjected to SEQOR review.

PERSON ADDRESSING THE TOWN BOARD:

Janet Regan, 4508 Buckingham Lane, Hamburg, asked the Town Board to support full value assessment on a County level. The Supervisor reported that the Town Board already has this matter under consideration.

Charles Lorenz, 671 Aurora Street, notified the Town Board of a malfunction in the sewer pumping station next to his home. The Town Engineer reported that ECSD No. 4 is aware of the malfunction and it is being repaired.

Gene Razzante, 3907 Bowen Road, and Marilee Kibler, 3905 Bowen Road, residents of Belltower Estates, discussed with the Town Board a problem they are having with the discharge of sump pump water across the driveway and walk areas of the development.

The Building Inspector was requested to check the plans for this development and report back to the Town Board.

COMMUNICATIONS:DISPOSITION

967. Continental Insurance to Town Clerk - Data regarding premium increase.	<u>Supervisor</u> _____
968. County Dept. of Emergency Services to Local Disaster Coordinators - Notice of flood training session to be held 11/20/86 at the Nike Site in Hamburg and flood insurance information meeting to be held 12/10/86 at the Lancaster Opera House.	<u>Building Inspector</u> _____ _____ _____ _____
969. County Dept. of Emergency Services to Local Disaster Coordinators - New DEC oil and hazardous material spill requirements.	<u>R/F</u> _____ _____ _____
970. County Water Authority to Town Clerk - Notice of main repair at 6285 Broadway.	<u>Town Engineer</u> _____ _____
971. Will Elliott to Town Board - Comments and suggestions re: proposed Firearms Ordinance.	<u>R/F</u> _____ _____ _____
972. Receiver of Taxes to Supervisor - Request permission to have Natalie Lewandowski and Elizabeth Stock carry over their accumulated unused compensatory time to 1987.	<u>Town Clerk</u> _____ _____ _____
973. Town Clerk to J. Caruso, Pres. Guardian Automated Systems, Inc. - Letter of appreciation for contribution of computer equipment to the Town.	<u>R/F</u> _____ _____ _____
974. Supervisor to Town Board - Re: Penora St. Neighborhood Improvement Proj.	<u>Suspended Resolution</u> _____ _____
975. Asst. County Attorney to Supervisor - Re: 1986-1989 Snow Removal Contract.	<u>R/F</u> _____ _____
976. Krehbiel Assoc. to Town Board - Re: Busy Beaver Building Center driveway location.	<u>R/F</u> _____ _____
977. Krehbiel Assoc. to Planning Board Chairman - Re: Meadowland Subdivision.	<u>Engineer</u> _____ _____
978. Jones Intercable Complaints Investigator to Supervisor - Re: Petition from residents on Penora St.	<u>Cable TV Committee</u> _____ _____ _____
979. Supervisor to Fire Chiefs, Highway Supt., Bldg. Insp. and ECSD #4 - Re: Hydrant usage during 12/1/86 - 4/1/87.	<u>R/F</u> _____ _____ _____
980. County Dep. Com. of Highways to Supervisor - Re: Ransom Road, CR 155.	<u>R/F</u> _____ _____
981. Supervisor to Town Board - Re: Special District Consolidation and Assessment Formulas	<u>R/F</u> _____ _____ _____
982. Jerome Collins to Town Board - Report on attendance at NYS Assoc. for Health Physical Ed. Rec. and Dance.	<u>R/F</u> _____ _____ _____
983. Samuel L. Saeva to Town Clerk - Notice of resignation as Receiver of Taxes and assessments and Property Manager effective 1/1/87.	<u>R/F</u> _____ _____ _____

The Supervisor requested a suspension of the necessary rule for immediate consideration of the following communications -  
SUSPENSION GRANTED.

- |   |   |
|---|---|
| 984. Highway Supt. to Town Board -<br>Recommendation of Oshkosh Truck bid award to<br>Nuttall Equipment Co.   | <u>R/F</u><br><hr/> <hr/>   |
| 985. Highway Supt. to Town Board -<br>Recommendation of Front Loader bid award to<br>Trojan Sales & Service.  | <u>R/F</u><br><hr/> <hr/>   |
| 986. Receiver of Taxes to Supervisor -<br>Request permission to have Elizabeth Stock<br>carry over accumulated unused compensatory<br>time to 1987. | <u>Town Clerk &amp; Town</u><br><u>Attorney for Report</u><br><hr/> <hr/> |

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 11:30 P.M. out of respect to:

CARL BROSKA ✓  
FRED LAYER ✓  
ROY ARBER ✓  
MRS. KOLASSA

Signed Robert P. Thill  
Robert P. Thill, Town Clerk